

# **EXHIBIT 5**

# POCONO RECORD

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## Two found guilty of fixing election in Pike County private community

By Staff Reports

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Two Pike County men have been convicted of election fraud, according to Pike County District Attorney Ray Tonkin.

Dmitry Kupershmidt, 42, and Myron Cowher, 53, were found guilty Monday on numerous charges related to a scheme to fix an election in the private community of Wild Acres Lakes in Delaware Township.

The convictions came after a four-day jury trial. The jury, composed of six women and six men, deliberated for approximately six hours.

Cowher was found guilty of all 217 counts charged against him relating to forgery, identity theft, criminal attempt, criminal conspiracy, tampering with records and criminal use of a communication facility.

Kupershmidt was found guilty of 190 counts relating to acting as an accomplice and co-conspirator.

At the time of the offenses, Cowher was the Secretary on the Board of Directors and Kupershmidt was the Chairman of the Board at Wild Acres Lake.

The charges were the result of a May 2014 incident.

At that time, an employee for Wild Acres called the Pike County District Attorney's Office expressing concern over a possible scheme to fraudulently fill out ballots in the community's election that was to be held in June of that year, according to a press release from the DA's Office.

The employee was put in contact with the Pennsylvania State Police.

The election was for five positions on the community's board of directors. As with many private communities, the board of directors serves as the governing body for the community. Wild Acres is a registered nonprofit corporation registered through the Pennsylvania Department of State.

The employee informed state police that Cowher had wanted to meet with him to pick up a collection of ballots that were to be mailed out to individual lot owners. Cowher had directed the employee to select the ballots of lot owners who owned vacant lots that were not suitable for building, according to the DA's office.

Cowher admitted to the employee that he selected these people because they rarely voted in elections.

A meeting took place between the employee and Cowher that was monitored by the state police.

During the meeting, Cowher filled out nine of the ballots and took the remaining 62 ballots to fill out at a later time. Upon leaving the meeting, Cowher was arrested by the state police.

During the trial, evidence was presented showing that an agreement existed between Cowher and Kupershmidt regarding the scheme and that Kupershmidt had suggested to the employee that he turn off the cameras in the office building in an effort to conceal anyone finding out about what they were doing.

First Assistant District Attorney Bruce DeSarro, who prosecuted the case said, "the jury obviously performed a thorough examination of the evidence and we are very satisfied with their decision."

DeSarro also complimented the "excellent investigative work" of Trooper Frank Orlando of the state police who was the investigator in the case.

Tonkin said that "the people living in private communities deserve to have their communities governed on a level playing field and we believe that this case sends a strong message against those considering committing such acts."

The court scheduled sentencing for Aug. 4 for both men.

After the trial, both men were taken into custody and housed at the Pike County Correctional Facility after Judge Gregory Chelak raised Cowher's bail to \$175,000 and Kupershmidt's bail to \$125,000.